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Attorneys for Plaintiff

DAPHNE P. RAND, by and through DEBRA J. DOLCH, as Conservator of the Person and Estate of DAPHNE P. RAND, Conservatee, on Behalf of Themselves and All Others Similarly Situated.

Plaintiff,

VS.

AMERICAN NATIONAL INSURANCE  
COMPANY, a Texas corporation.

Defendant.

Case No. CV 09 0639 SI

## CLASS ACTION

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING BRIEFING  
SCHEDULE**

Judge Susan Illston

Action Filed: 02/12/09

This stipulation is made between Plaintiff DEBRA J. DOLCH, as Special Administrator of the Estate of DAPHNE P. RAND (“Plaintiff”) and Defendant American National Insurance Company (“ANICO” or “Defendant”), by and through their respective counsel of records, based on the following:

1  
2 WHEREAS, Plaintiff agrees she will not amend the complaint or add parties between now  
3 and the time ANICO responds to her Motion for Class Certification, but reserves the right to so  
4 amend and/or intervene with a new or additional plaintiff based upon any challenges or objections  
5 by Defendant. Defendant reserves its rights to any and all defenses to such amendment or  
6 interventions, if any.

7  
8 WHEREAS, the current schedule requires plaintiffs to submit their class certification  
9 motion and expert disclosures on March 21, 2011. Currently the parties are actively involved in  
10 settlement negotiations and will continue with discovery if settlement terms are not reached.  
11 Based on the status of the negotiations, the parties believe that the current scheduling order on  
12 class certification should be modified to allow for settlement negotiations to proceed or,  
13 alternatively, completion of discovery, resolution of any discovery disputes and any other matters,  
14 as follows:

	<b>Current Dates</b>	<b>Proposed Dates</b>
Plaintiff's Motion for Class Certification and Designation of Class Cert Experts	March 21, 2011	April 21, 2011
Defendant's Opposition to Motion for Class Certification and Expert Disclosures	May 11, 2011	June 11, 2011
Plaintiff's Reply in Support of Motion for Class Certification	May 25, 2011	June 25, 2011
[Proposed] Hearing on Motion for Class Certification	June 8, 2011	July 8, 2011

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25       ///

26  
27       ///

1 THEREFORE, it is hereby stipulated between the undersigned parties, through their  
2 counsel of record, that the briefing schedule for Plaintiff's Motion Class Certification briefing may  
3 be continued as set forth above, subject to approval by the Court.  
4

5 DATED: March 21, 2011 THE EVANS LAW FIRM

6  
7 By: /s/  
8 INGRID M. EVANS  
9 Attorneys for Plaintiff DEBRA J. DOLCH, as Special  
Administrator of the Estate of DAPHNE P. RAND

10 DATED: March 21, 2011 GREER, HERZ & ADAMS, LLP

11  
12 By: /s/  
13 JOSEPH R. RUSSO  
14 Attorneys for Defendant AMERICAN NATIONAL  
INSURANCE COMPANY

15 ATTESTATION OF SIGNATURE

16 Pursuant to General Order No. 45, § X(b), I hereby attest under penalty of perjury that  
17 concurrence in the filing of the document has been obtained from all signatories.  
18

19 THE EVANS LAW FIRM

20 DATED: March 21, 2011

21 By: /s/  
22 INGRID M. EVANS

23 IT IS SO ORDERED.  
24

25 DATED: 3/22/11

26 By Susan Illston  
27 The Honorable Susan Illston  
District Court Judge  
28